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**DEERE & COMPANY
ONE JOHN DEERE PLACE
MOLINE IL 61265**

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In re Application of :
Clemens RICKERT et al. :
Application No. 10/733,930 :
Filed: December 11, 2003 :
Attorney Docket No. 09210-US :

**OFFICE OF PETITIONS
ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed July 18, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed August 26, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on November 27, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment, terminal disclaimer, and \$130 terminal disclaimer fee; (2) the petition fee of \$1500; (3) and the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action of August 26, 2004 is accepted as having been unintentionally delayed.

Petitioner was charged the \$130 terminal disclaimer fee and the \$1500 petition fee twice on July 19, 2005. Therefore, these unnecessary fees will be credited to petitioner's deposit account.

Telephone inquiries concerning this decision should be directed to David A. Bucci at (571) 272-7099 or in his absence, the undersigned at (571) 272-3217.

The application file is being referred to Technology Center AU 3671 for appropriate action on the concurrently filed amendment.

Brian Hearn
Petitions Examiner
Office of Petitions